IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

WEDNESDAY, THE 14TH NOVEMBER 2007 / 23RD KARTHIKA 1929

WP(C).No. 33489 of 2007(J)

AS.72/2006 of DISTRICT COURT, MANJERI

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PETITIONER:

K.SURESH, S/O KRISHNAN NAIR,
KOLARATH HOUSE, THALAKKULATHUR,
KOZHIKODE.

BY ADV. SRI.R.BINDU (SASTHAMANGALAM)
SRI.PRASANTH M.P

RESPONDENTS:

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1. KOOLATH MOHAMMED,
S/O KAMMAD KUTTY,
NEAR R.K.MISSION SCHOOL, KALLAI P.O.,
KOZHIKODE.

2. SALEEMA, W/O KOOLATH MOHAMMED,
NEAR R.K.MISSION SCHOOL, KALLAI P.O.,
KOZHIKODE.

3. M/S KOOLATH MOHAMMED & SONS,
NEAR R.K.MISSION SCHOOL, KALLAI P.O.,
KOZHIKODE, REPRESENTED BY ITS MANAGING PARTNER,
KOOLATH MOHAMMED.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N.Krishnan, J.

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W.P(C).No.33489 of 2007

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Dated this the 14th day of November, 2007.

JUDGMENT

This Writ Petition is filed seeking a direction to the District Court, Manjeri to dispose of A.S.No.72 of 2006. Learned counsel for the writ petitioner submits that the appeal was filed in the year 2005 itself, but it was returned and later re-presented. An Execution Petition filed is also pending before the Executing Court. It is seen that it is only a money decree where lot of complications are not there.

2. So, taking into consideration the nature of the appeal and the fact that the successful decree holder is waiting for justice, I direct the court below to dispose of A.S.No.72 of 2006 as expeditiously as possible. I make it clear that since I have not given a time frame, it shall not be taken as a ground for protracting the proceedings.

Writ Petition is disposed of accordingly.

M.N.Krishnan,
Judge.

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